IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24526 of 2008
CHAUDHARY MAHTO & ORS
Versus
STATE OF BIHAR
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3. 5/8/2008 Heard Mr. Gopal Jha, learned counsel for the petitioners and Mr. Upendra Kumar, learned A.P.P for the State.

The petitioners have been made accused in a case under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307 and 504 of the Indian Penal Code.

Allegation is that the petitioners along with other co-accused assaulted the informant and others who were protesting against installation of Pumping Set in the Boring of the informant over his land.

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Learned counsel for the petitioners submits that there is case and counter case on the same day. Another First Information Report has been annexed as Annexure-2. There has been injuries on both sides. He further submits that there is no allegation of any assault by the petitioner No. 1 in the First Information Report. He can only be considered as an order giver. However, subsequently, some persons have named him also for assaulting. He further submits that there is no specific allegation upon any of the petitioners. The allegations are omnibus in nature on all persons and there are injuries on both sides. Petitioners are reported to be under custody since 28.3.2008.

Learned counsel for the State submits that there are

eight persons injured in the case and some inuries are grievous also. However, from the case diary, it cannot be specifically said that who caused injuries upon whom.

In the facts and circumstances of the case as well as in view of submissions made by the parties, the petitioners namely, Chaudhary Mahto, Ranjeet Mahto @ Ranjeet Singh and Sanjay Mahto @ Sanjay Singh are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhubani, in connection with Raj Nagar P.S. Case No. 81 of 2007.

S.Ali **(Dr. Ravi Ranjan, J.)**

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